



Deputy Director  
BRUCE Y. MATSUI  
BARRY FUKUNAGA  
BRENNON T. MORIOKA  
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

**STATE OF HAWAII**  
**DEPARTMENT OF TRANSPORTATION**  
869 Punchbowl Street  
Honolulu, Hawaii 96813

Board of Land and  
Natural Resources  
State of Hawaii  
Honolulu, Hawaii

CONSENT TO ASSIGNMENT OF LEASE NO. DOT-A-79-0010  
MAKENA HAWAII, INC. TO RESORT AIR, LLC

OAHU

REQUEST:

Consent to Assignment of Lease No. DOT-A-79-0010 from Makena Hawaii, Inc. as Lessee/Assignor, to Resort Air, LLC, as Assignee, South Ramp, Honolulu International Airport

APPLICANTS:

LESSEE / ASSIGNOR:

Makena Hawaii, Inc. a Hawaii corporation, as Lessee/Assignor, having a mailing address at 725 Kailua Road, Kailua, Hawaii 96734

ASSIGNEE:

Resort Air, LLC, a Hawaii limited liability company, as Assignee, having a mailing address at 1100 Alakea Street, Suite 2500, Honolulu, Hawaii 96813

LEGAL REFERENCE:

Subsection 171-36(a) (5) (B), Hawaii Revised Statutes, as amended

LOCATION AND TAX MAP KEY:

Portion of Honolulu International Airport, Honolulu, Island of Oahu, identified by Tax Map Key: 1<sup>st</sup> Division, 1-1-72:17 and 1-1-72:19

AREAS:

Area/Space No. 009-179, containing a land area of approximately 11,066 square feet and Area/Space No. 009-114, containing a land area of approximately 15,896 square feet (refer to attached Exhibit A)

ZONING:

State Land Use District:	Urban District
City and County of Honolulu:	Industrial (I-2)

LAND TITLE STATUS:

Section 5(a) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES ☐ NO ☒

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order No. 3201, setting aside a portion of Honolulu International Airport under the control and management of the Department of Transportation, Airports Division, State of Hawaii, for Airport Purposes.

CHARACTER OF USE:

Development, construction, operation, and maintenance of a hangar facility.

TERM OF LEASE:

Thirty (30) years, commencing on September 1, 1979, and expiring on August 31, 2009. Last lease rental reopening occurred on September 1, 2004.

ANNUAL GROUND LEASE RENTAL:

\$45,565.80 per annum, payable in quarterly installments of \$11,391.45

REOPENING OF ANNUAL GROUND LEASE RENTAL:

None remaining.

CONSIDERATION:

\$150,000.00

RECOMMENDED PREMIUM:

None. The Lease does not contain a provision requiring payment of an assignment premium.

DCCA VERIFICATION:

LESSEE / ASSIGNOR:

Place of business registration confirmed:	YES <u>✓</u>	NO <u>    </u>
Registered business name confirmed:	YES <u>✓</u>	NO <u>    </u>
Good standing confirmed:	YES <u>✓</u>	NO <u>    </u>

ASSIGNEE:

Place of business registration confirmed:	YES <u>✓</u>	NO <u>    </u>
Registered business name confirmed:	YES <u>✓</u>	NO <u>    </u>
Good standing confirmed:	YES <u>✓</u>	NO <u>    </u>

REMARKS:

By way of its letter dated October 4, 2005, Makena Hawaii, Inc. (MHI) requested that the DOT consent to an assignment of State Lease No. DOT-A-79-0010 (Lease) to Resort Air, LLC. (RA). MHI's letter also included a copy of the Purchase and Sale Agreement executed by the parties with a closing date not to exceed December 31, 2006. On October 5, 2005, RA opened escrow with Title Guaranty Escrow to handle the closing of the purchase of MHI.

RECOMMENDATION:

That the Board approves of and gives its consent to the Assignment of Lease No. DOT-A-79-0010 as herein outlined, subject to: (1) such terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State; and

(2) review and approval of the Department of the Attorney General as to the form and content of the Lessor's Consent to the Assignment of Lease No. DOT-A-79-0010.

Respectfully submitted,

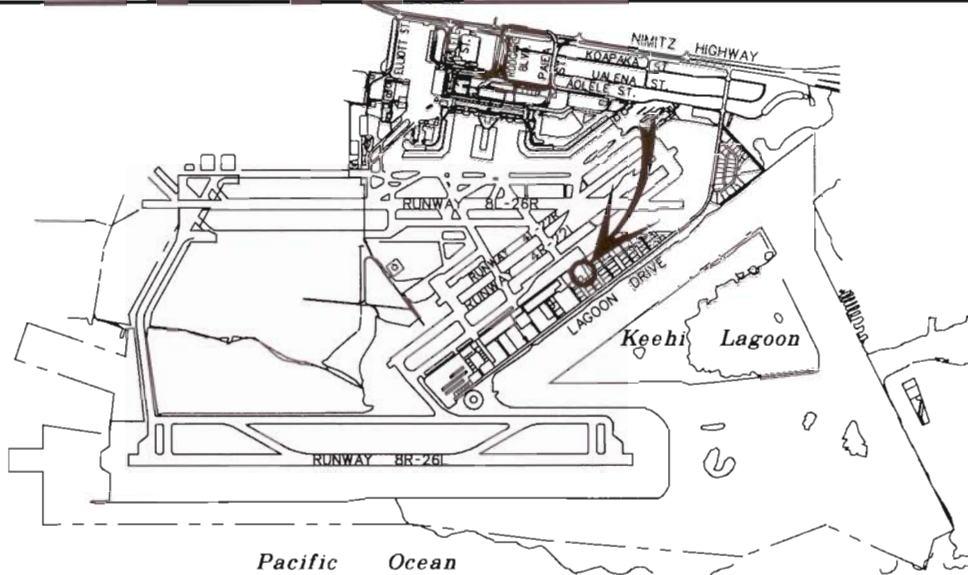


RODNEY K. HARAGA  
Director of Transportation

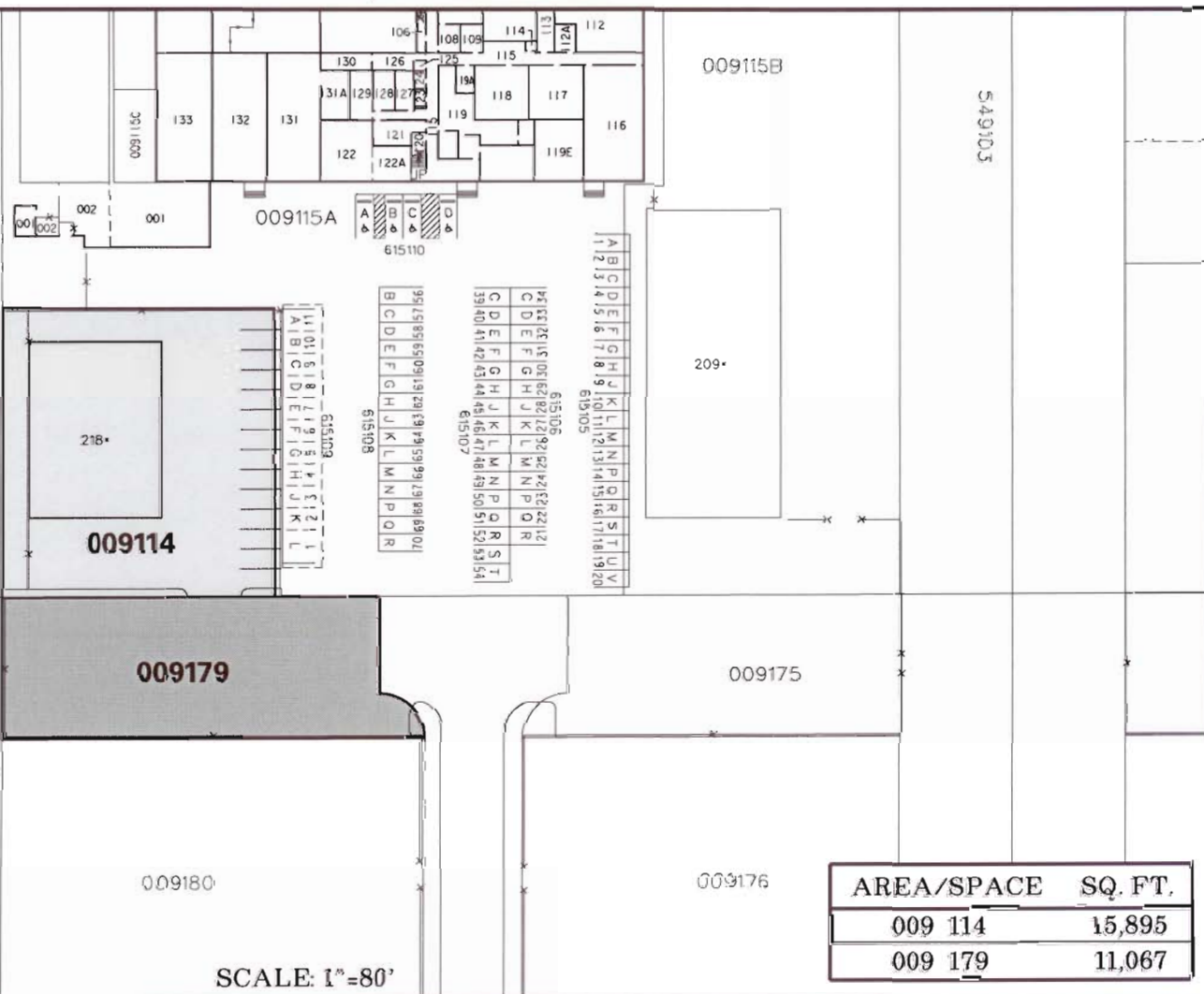
APPROVED FOR SUBMITTAL:



PETER T. YOUNG  
Chairperson and Member



5000:1



DOT-A-79-0010

DATE: JANUARY 2006

EXHIBIT: **A**



Airports Division

MAKENA HAWAII, INC.

LOTS  
SOUTH RAMP

009114  
009179

PLAT 36

HONOLULU INTERNATIONAL AIRPORT

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